

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT
AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE
RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

JAN -8 2009

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

BRICE LOOBY,

Appellant.

2 CA-CR 2008-0256

DEPARTMENT A

MEMORANDUM DECISION

Not for Publication

Rule 111, Rules of
the Supreme Court

APPEAL FROM THE SUPERIOR COURT OF GREENLEE COUNTY

Cause No. CR2007-088

Honorable Monica Stauffer, Judge

AFFIRMED

Michael D. Peterson

Safford
Attorney for Appellant

H O W A R D, Presiding Judge.

¶1 A jury found appellant Brice Looby guilty of two counts of aggravated assault, class four and six felonies. The trial court sentenced him to consecutive, presumptive prison terms totaling 3.5 years. Counsel has filed a brief pursuant to *Anders v. California*, 386

U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), stating he has thoroughly reviewed the record and has found no arguable issues to raise on appeal. Counsel asks us to search the record for “error.” Looby has not filed a supplemental brief.

¶2 Counsel has utterly failed to comply with *Clark*, which required him to “set[] forth a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.” *Id.* ¶ 32. Nonetheless, viewing the evidence, including the stipulation that a victim suffered a fractured wrist, in the light most favorable to sustaining the verdicts, we find there was sufficient evidence to support the jury’s findings of guilt. *See State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. Therefore, we affirm Looby’s convictions and sentences.

JOSEPH W. HOWARD, Presiding Judge

CONCURRING:

JOHN PELANDER, Chief Judge

J. WILLIAM BRAMMER, JR., Judge